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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 HENRY JAMES,

9 Plaintiff,

10 v.

11 FPI MANAGEMENT, INC., et al.,

12 Defendants.

CASE NO. C18-998RSM

ORDER TO SHOW CAUSE

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14 This matter is before the Court *sua sponte*. This matter has been pending since July 9,
15 2018. Pursuant to Federal Rule of Civil Procedure 4, Plaintiff is required to serve each defendant
16 and file proof of service with the Court. FED. R. CIV. P. 4(l). “If a defendant is not served within
17 90 days after the complaint is filed, the court—on motion or on its own after notice to the
18 plaintiff—must dismiss the action without prejudice against that defendant or order that service
19 be made within a specified time.” FED. R. CIV. P. 4(m). Upon a showing of good cause, “the
20 court must extend the time for service for an appropriate period.” *Id.*

21 Defendant Brannden Francisco is the only remaining Defendant in this action. To date,
22 Defendant Brannden Francisco has not appeared in this action and Plaintiff has not filed any
23 proof that Defendant Brannden Francisco was properly served. Plaintiff specifically filed a Proof
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1 of Service indicating that it was being returned unexecuted. Dkt. #23. Therein, Plaintiff recounts
2 his difficulty in effecting service in compliance with the applicable rules.

3 Accordingly, the Court now ORDERS that Plaintiff shall file a Response to this Order to
4 Show Cause explaining: (1) the manner in which Plaintiff has served Defendant Brannnden
5 Francisco in accordance with the Federal Rules of Civil Procedure, and (2) if Defendant has not
6 yet been served in accordance with the Federal Rules of Civil Procedure, why the Court should
7 not dismiss Plaintiff's action. Plaintiff's Response is not to exceed five (5) pages and must be
8 filed **no later than fourteen (14) days from the date of this Order**. Failure to respond will
9 result in dismissal of this action.

10 DATED this 2 day of December, 2019.

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13 RICARDO S. MARTINEZ
14 CHIEF UNITED STATES DISTRICT JUDGE
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